

**REMARKS**

At the outset, the Applicants thank Examiner Shand for thoroughly reviewing the pending application. In addition, the Applicants would like to thank Examiner Shand for taking the time to meet with the Applicant's representatives during an in-person interview at the Patent Office on December 3, 2008.

In the present application, claims 1-24 and 26-39 have been cancelled without prejudice or disclaimer. Claim 25 has been amended, and new claims 40-57 have been added without the introduction of new matter. Accordingly, claims 25 and 40-57 are pending in the present application.

In addition, the Applicant has amended paragraph [0029]. The amendment was made to correct typographical errors. No new matter has been added.

As stated, on December 3, 2008, the Applicant's representatives conducted an in-person interview with the Examiner at the Patent Office. During the interview, the Examiner and the Applicant's representatives discussed the amendments presented above for claim 25. The Examiner and the Applicant's representatives agreed that claim 25 is patentable over the cited references, including U.S. Patent No. 6,434,133 (*Hamalainen*) and U.S. Patent No. 6,371,112 (*Widegren*), individually or the combination thereof. New claims 40-48 depend from claim 25, and are patentably distinguishable over the cited references for at least the same reasons. For convenience, a copy of the Interview Summary sheet is submitted here with.

New independent claim 49 covers a method that involves the transfer of data units from a higher layer to a lower layer, whereas new independent claim 54 covers a method that involves the transfer of data units from a lower layer to a higher layer. The methods set forth in new independent claims 49 and 54 substantially parallel the features set in amended claim 25. Accordingly, independent claims 49 and 54, and new dependent claims 50-53 and 55-57 which depend from claims 49 and 54, respectively, are patentable over the cited references for at least the same reasons that claim 25 is patentably distinguishable over the cited references.

**In paragraphs 1-19 of the Office Action, claims 4-6, 8-9, 11-14, 16-20, 23, 25-33 and 39 are rejected under 35 U.S.C. §1023(e) as allegedly being anticipated by *Hamalainen*.**

With regard to claims 4-6, 8-9, 11-14, 16-20, 23, 26-33 and 39, the rejection is moot, as the

Applicant has cancelled these claims. With regard to claim 25, the claim is patentably distinguishable over *Hamalainen*, as set forth in the attached Interview Summary. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection of claim 25.

**In paragraphs 20-29 of the Office Action, claims 7, 10, 15, 21, 22, 24 and 34-38 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hamalainen* in view of *Widegren*. This rejection is now moot, as the Applicant has cancelled each of these claims.**

### **CONCLUSION**

The application is in condition for allowance. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7513 to discuss the steps necessary for placing the application in condition for allowance. A Revocation of Powers, New Power of Attorney, and Change of Correspondence Address are submitted herewith. All correspondence should now be sent to the address associated with Customer Number 30827. The Office is respectfully asked to change the attorney docket number associated with this application, in the records of the Office, to 8737.079.00.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Dated: December 10, 2008

Respectfully submitted,

/Michael I. Angert #46522/

By \_\_\_\_\_

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